

**IN THE UNITED STATES BANKRUPTCY COURT
Eastern District of Virginia
Richmond Division**

In re: Brian Wirt Bartlett

**Case No. 18-31079-KRH
Chapter 13**

Debtor

Address: 4298 Pierce Road
Powhatan, VA 23139

Last four digits of Social Security No: xxx-xx-6226 (Debtor)

NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND HEARING

The above named Debtor has filed a Motion for Relief from the Automatic Stay in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

NOTICE IS HEREBY GIVEN that a hearing thereon will be held on the above-referenced Motion at the United States Bankruptcy Court, in the Honorable Kevin R. Huennekens's Courtroom, 701 E. Broad Street, Room 5000, Richmond, VA 23219-3515, on November 14, 2018, at 11:00 a.m.

If you do not want the Court to grant the above-referenced Motion, then no later than 7 days before the date of the hearing, you or your attorney must:

File with the Court a written answer explaining your position at:

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Suite 4000
Richmond, VA 23219-3515

If you mail your response to the Court for filing, you must mail it to the address listed immediately above and early enough so that the Court will **receive** it within the time period stated above.

You must also send a copy to:

Boleman Law Firm, P.C.
P.O. Box 11588
Richmond, VA 23230-1588

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: October 31, 2018

BOLEMAN LAW FIRM, P.C.
Counsel for Debtor

By: /s/ Amanda Erin DeBerry
Amanda Erin DeBerry (VSB#83805)
Boleman Law Firm, P.C.
P.O. Box 11588
Richmond, VA 23230-1588
Telephone (804) 358-9900
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that on October 31, 2018 I have transmitted a true copy of the foregoing document electronically through the Court's CM/ECF system or by mail to the Debtor the Chapter 13 trustee, and Paul Curley, Counsel for Tracy Bartlett, and to Tracy Bartlett at the following address:

Tracy Bartlett
2557 Mountainview Road
Powhatan, VA 23139

/s/ Amanda Erin DeBerry
Counsel for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
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In re: Brian Wirt Bartlett

**Case No. 18-31079-KRH
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Debtor

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Comes Now, Brian Wirt Bartlett ("Debtor"), by counsel, and moves this Honorable Court for relief from the Automatic Stay provided by 11 U.S.C. § 362 so that he may proceed with domestic relations proceedings in State Court, and in support thereof, states as follows:

1. The Debtor filed for protection under Chapter 13 of the United States Bankruptcy Code on March 5, 2018.
2. The Debtor filed a Chapter 13 Plan on March 7, 2018, which was confirmed by Order of the Court on May 15, 2018.
3. The Debtor seeks to obtain a divorce from his wife, Tracy Bartlett ("Mrs. Bartlett").
4. Upon information and belief, the State Court will not proceed with any domestic relations proceedings without the stay being lifted.
5. The relief requested is limited to allowing the divorce and related matters to proceed. Relief is not requested as to property of the estate, nor would the relief requested herein allow for execution of any State Court judgment on property of the estate without further Order of Court.

Amanda Erin DeBerry (VSB#83805)
Boleman Law Firm, P.C.
P.O. Box 11588
Richmond, VA 23230-1588
Telephone (804) 358-9900
Counsel for Debtor

Based upon these facts, the Debtor respectfully requests that the Court grant his Motion to Relief from the Automatic Stay pursuant to 11 U.S.C. § 362 so that he may proceed with divorce proceedings in the State Court and order such other and further relief as is just and proper.

Respectfully Requested,
Brian Wirt Bartlett

/s/ Amanda Erin DeBerry
Amanda Erin DeBerry (VSB#83805)
Boleman Law Firm, P.C.
P.O. Box 11588
Richmond, VA 23230-1588
Telephone (804) 358-9900
Counsel for Debtor

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Tracy Bartlett
2557 Mountainview Road
Powhatan, VA 23139

/s/ Amanda Erin DeBerry
Counsel for Debtor